

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 3084

FISCAL
NOTE

By Delegate Rohrbach

[Introduced on ; referred

to the Committee on]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto seven new
 2 sections, designated §5-16-8b, §9-5-34, §33-15-24, §33-16-20, §33-24-15, §33-25-23 and
 3 §33-25A-37, relating to requiring health benefit plan coverage; requiring coverage for
 4 medically necessary dental procedures that result from cancer treatment; and explaining
 5 scope of procedures covered as a result of certain cancer treatments.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
 GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
 BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
 COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-8b. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
 2 coverage for oral health procedures that are necessary to receive or are the result of cancer
 3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
 4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
 6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
 7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
 8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
 9 diagnosis.

10 (c) One year following implementation, the Public Employees Insurance Agency shall
 11 report to the Joint Committee on Government and Finance the cost of this change.

CHAPTER 9. HUMAN SERVICES.

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

10 (c) One year following implementation, the Bureau of Medical Services shall report to the
11 Joint Committee on Government and Finance the cost of this change.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-24. Medical oral health coverage required.

1 (a) An insurer who, on or after July 1, 2025, delivers or issues a policy of accident and
2 sickness insurance in this state under the provisions of this article shall make available as benefits
3 to all subscribers and members coverage for oral health procedures that are necessary to receive
4 or are the result of cancer treatments including surgery, chemotherapy, biotherapy, pharmacology,
5 immunotherapy, or radiation.

6 (b) The coverage required under this section shall include evaluations, examinations,
7 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
8 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial

9 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
10 diagnosis.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-20. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

**ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE
CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH
SERVICE CORPORATIONS.**

§33-24-15. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial

8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-23. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-37. Medical oral health coverage required.

1 (a) On or after July 1, 2025, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

NOTE: The purpose of this bill is to require health benefit plan coverage for medically necessary dental procedures that result from cancer treatment; create the Oral Health and Cancer Rights Act; explain the scope of procedures covered as a result of certain cancer

treatments; require the use of a specific billing identifier; and set an effective date.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.